

IN THE UNITED STATES DISTRICT COURT  
OR THE EASTERN DISTRICT OF CALIFORNIA

RAJ CHRISTOPHER GUPTA, )  
Plaintiff, )  
v. )  
C.A. TERHUNE, et al., )  
Defendants. )  
) 2:00-cv-1095-GEB-GGH-P  
RULING ON PLAINTIFF'S  
IN LIMINE MOTION

On January 3, 2006, Plaintiff filed a motion in limine in which he seeks to have Defendants precluded from presenting their "volunteer" defense" during the trial scheduled to commence on May 9, 2006, arguing that "[the defense] is irrelevant to the Eighth Amendment issue . . . ." (Pl.'s Mot. in Limine at 1.) Since evidence on the issue underlying the referenced defense has not been shown irrelevant, the motion is denied.

IT IS SO ORDERED.

Dated: May 3, 2006

/s/ Garland E. Burrell, Jr.  
GARLAND E. BURRELL, JR.  
United States District Judge